

PURPOSE

To establish the method for de-identifying an individual's health information.

POLICY

The Michigan Department of Health and Human Services (MDHHS) can use and disclose de-identified health information as long as the recipient is not provided information that will enable re-identification. De-identified information is not covered under the HIPAA Privacy Rule. A MDHHS business associate can also de-identify MDHHS client information, for use and disclosure, on the MDHHS's behalf.

De-Identification is permitted using either one of the following two methods:

1. Using appropriate scientific principle to render the PHI not individually identifiable through statistical means.
2. To remove all of a list of enumerated identifiers of the individual.

MDHHS may create a LIMITED DATA SET for the purposes of research, public health, or health care operations. A limited data set will exclude all of a list of enumerated identifiers of the individual, however allowing some date and demographic information. The release of any limited data sets will require a Data Use Agreement between the department and the recipient of the limited data set. (45 CFR 164.514)

REFERENCES

45 CFR §164.402(d), §164.514(a), §164.515(b), §164.515(c), §164.515(e).

CONTACT

For additional information concerning this policy, contact the MDHHS Bureau of Legal Affairs.